



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/758,971
Filing Date	January 15, 2004
First Named Inventor	Kenji Yamagami
Art Unit	2131
Examiner Name	Unassigned
Attorney Docket Number	16869B-080700US

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
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<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

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<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
USPTO forms SB08A & B (two pages),
copies of two cited non-patent references,
Return Postcard |
|---|---|--|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP
Signature	
Printed name	Chun-Pok Leung
Date	9-27-05

Reg. No. 41,405

CERTIFICATE OF TRANSMISSION/MAILING

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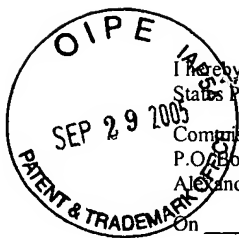
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TOWNSEND and TOWNSEND and CREW LLP

By:

Roger Hyton

PATENT
Attorney Docket No.: 16869B-080700US
Client Reference No.: HAL-273

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenji Yamagami

Application No.: 10/758,971

Filed: January 15, 2004

For: DISTRIBUTED REMOTE COPY
SYSTEM

Examiner: Unassigned

Art Unit: 2131

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the cited non-patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Chun-Pok Leung
Reg. No. 41,405

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60595207 v1



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/758,971
		Filing Date	January 15, 2004
		First Named Inventor	Kenji Yamagami
		Art Unit	2131
		Examiner Name	Unassigned
Sheet 1	of 2	Attorney Docket Number	16869B-080700US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US 6,658,540	12-02-2003	Sicola et al.	
	2	US 20030188035	10-02-2003	Lubbers et al.	
	3	US 20030188229	10-02-2003	Lubbers et al.	
	4	US 20030074378	04-17-2003	Midgley et al.	
	5	US 20030014432	01-16-2003	Teloh et al.	
	6	US 6,408,370	06-18-2002	Yamamoto	
	7	US 6,301,677	10-09-2001	Squibb	
	8	US 5,734,818	03-31-1998	Kern et al.	
	9	US 5,504,861	04-02-1996	Crockett et al.	
	10	US 5,446,871	08-29-1995	Shomler et al.	
	11	US-5,404,508	04-04-1995	Konrad et al.	
	12	US-5,086,502	02-04-1992	Malcolm	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60595207 v1

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
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				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	16869B-080700US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	13	"Hitachi Freedom Storage Software Solutions Guide," Hitachi Data Systems Corporation Santa Clara, CA (January 2003).	
	14	"Ascential Enterprise Integration Suite," product information Ascential Software Westboro, MA (2002).	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.